

PLANNING BOARD OF THE CITY OF BANGOR

MEETING OF DECEMBER 21, 2004

MINUTES

Board Members Present:

**Robert Guerette, Chairman
Ryan King
David Clark
Hal Wheeler
Jonathan Siegel**

City Staff Present:

**Katherine Weber
David Gould
James Ring
Peter Witham**

News Media

Bangor Daily News

Chairman Guerette called the meeting to order at 7:00 p.m.

PUBLIC HEARINGS

Item No. 1: Amending the Land Development Code – Chapter 165, Article XIX, Section 165-135. D. – Buffer Yards. City of Bangor, applicant. C.O. # 05-34.

Chairman Guerette indicated that this item was a Public Hearing and reviewed the hearing procedure. Chairman Guerette opened the Public Hearing, and asked the City to provide a brief overview of the proposed amendment.

Planning Officer Katherine Weber indicated that the City is proposing updates to the existing bufferyard standards. Ms. Weber explained that bufferyards are planted areas between two juxtaposed properties with varied uses or parking lots. The bufferyards are planted to lessen the impact on adjacent properties. The City's bufferyards are calculated by specific plant units per one hundred feet. The bufferyard intensity varies from type A buffers to type D buffers which are the most intensively planted. Each buffer type has a variety of widths available. As the width is narrowed, the number of plant units increases. This proposed amendment seeks to increase the number of plantings in each of the City's bufferyard types. Ms. Weber indicated that the

proposal was based on concerns of inadequate buffering in existing developments. The proposal is not as intensive as some municipalities' ordinances, but follows the pattern that the City has been using. Planning Officer Weber indicated that Staff recommends that the Planning Board recommend that the proposed amendment be adopted by the Bangor City Council.

Mr. Wheeler asked if the provisions would be retroactive to existing developments. Ms. Weber indicated that, if adopted, the standards would apply to new development, and that existing projects would be grandfathered. Ms. Weber indicated that a letter would be sent to existing designers notifying them of the buffer changes so that they would not be caught off guard.

Chairman Guerette asked if these buffer changes had any impacts on State and Federal regulations. Ms. Weber indicated that these were not resource type buffers and were purely local discretionary standards.

Mr. Siegel asked who is responsible for the maintenance of buffer plantings if they are lost or die off. Ms. Weber indicated that the property owners are responsible for maintenance of the bufferyards. Mr. Clark asked if additional buffer plantings could pose a visibility issue for cars and pedestrians. Ms. Weber indicated that the buffer yards are located outside of the right-of-way so adequate visibility should not be a problem.

Chairman Guerette asked for any other proponents of the proposed zoning amendment. There being none, he called for any opponents. Again, there being none, Chairman Guerette closed the Public Hearing, and asked for a motion on the amendment. Mr. Wheeler moved to recommend the proposed amendment to the City Council. Mr. Siegel seconded the motion. The Board voted unanimously to recommend that the proposed zoning amendment to Section 165-135 D., contained in Council Ordinance #05-34 be adopted by the City Council.

Item No. 3: Developmental Subdivision Plan approval of the previously approved 48-unit Sable Ridge Townhouse project located at 1434 Ohio Street in a Low Density Residential District. Goldcamp, LLC, applicant.

Chairman Guerette asked the applicant or their representative to make a brief presentation of this application. Mr. Fred Marshall, of Plymouth Engineering, indicated that he represented Goldcamp, LLC, and Sable Ridge Real Estate Investments, LLC. Mr. Marshall indicated that when the project was originally proposed, it was intended to be 48-units of rental housing. With the potential new owner, the concept is now for owner-occupied units as a condominium project. Mr. Marshall indicated that the ownership issue is one of the elements that concerned neighbors, originally.

Mr. Clark asked what the units might sell for. Mr. Gary Goldberg, of Goldcamp, LLC, indicated that they were estimating that they would sell for about \$120,000 per unit. Mr. King asked if there were any changes to the project or changes in the overall density. Mr. Marshall indicated that there were no changes in the design or density of the project.

Chairman Guerette asked for Staff comments. Planning Officer Weber indicated that the applicant, Goldcamp, LLC, requests Developmental Subdivision Plan approval for the previously approved forty-eight unit townhouse complex at 1434 Ohio Street in a Low Density Residential District. The project is unchanged since it was approved in April, 2004. Ms. Weber indicated that the approval is limited to the ownership interests in the developmental subdivision. Ms. Weber noted that Staff has reviewed the related documents and plans, recommends that the Planning Board grant developmental subdivision approval.

Mr. King asked the Planning Officer to clarify how such a dense housing project could be consistent with the Low Density Residential District. Ms. Weber indicated that the project is designed as an attached residential cluster of buildings in one portion of the nine-acre site. The remaining area of the site is left undeveloped. If the units were uniformly spread out over the entire site, they would appear consistent with other single-family densities. The clustered approach saves on utility costs, pavement, and parking, and conserves a larger area of open space for recreation and wildlife habitat.

Mr. Clark moved to approve the Developmental Subdivision for Goldcamp, LLC. Mr. Wheeler seconded the motion, and the Board voted unanimously to approve the developmental subdivision application of Goldcamp LLC, for a 48-unit attached residential project at 1434 Ohio Street.

Item No. 4: Site Development Plan approval to construct 34, 10' x 15' storage units, 576-square feet of office space and a 4,800-square foot warehouse located on Bomarc Road in an Urban Industry District. Rebecca J. Wood/Woods of Maine, Inc., applicant.

Chairman Guerette asked the applicant or their representative to make a brief presentation of this application. Mr. Mike Woods, of Woods of Maine, indicated that he proposed to develop the lot as a warehouse, office space, and storage facility on a four-acre parcel located on Bomarc Road.

Chairman Guerette asked if the storage units would be for the adjacent residential development. Mr. Wood indicated it would be for general public use and unrelated to the housing project. Mr. King asked what the site lighting would be. Mr. Woods indicated that there would be 70-watt, building mounted lights and 250 watt, metal halide lights in the parking areas.

Mr. Siegel asked if all of the adjacent homeowners were aware that a commercial project was proposed on the adjacent property when they purchased their homes. Mr. Woods indicated that most buyers were aware of his intent to develop the adjacent industrial property. Mr. Wood indicated that the warehouse and storage facility should be a low impact use. Mr. King asked what the buildings would look like. Mr. Wood noted that the buildings would be constructed with building materials consistent with residential housing.

Chairman Guerette asked for Staff comments. Planning Officer Weber stated that the applicant, Rebecca J. Wood/Woods of Maine, Inc, requests Site Development Plan approval for a self-storage building with five thousand, one hundred (5,100) square feet of floor area and with thirty-four (34) storage units, sized ten feet (10') x fifteen feet (15'), a warehouse four thousand, eight hundred (4,800) square feet in area, and an office of seven hundred, sixty-eight (768) square feet in area on a portion of 401 Bomarc Road in an Urban Industry District.

Ms. Weber indicated that Staff notified the abutters to the project as a routine procedure. The Land Development Code does provide for a buffer between the industrial district and the residential district. The plan does provide a stormwater pond to deal with the new impervious area. The City Engineers Office has reviewed the plan and finds it acceptable. Planning Officer Weber indicated that the project was complete and consistent with the standards for site development plan approval, and that Staff recommended that the Planning Board approve the Site Development Plan for Rebecca Wood/Woods of Maine, Inc. located at 401 Bomarc Road.

Mr. Clark asked how far buildings would be from residential properties. Mr. Wood indicated that they would be located about seventy-five feet away. Mr. Siegel asked where the zone boundary was located between the Urban Industry District and the Low Density Residential District. Mr. Gould provided Mr. Siegel with a zoning map of the City.

Mr. Wheeler moved to approve the Site Development Plan for Rebecca J. Wood/Woods of Maine, Inc. Mr. Clark seconded the motion, and the Board voted unanimously to approve the Site Development Plan for Rebecca Wood/Woods of Maine, Inc. located at 401 Bomarc Road.

Item No. 5: **Site Development Plan approval to construct a 2 ½ story, 12-unit motel with associated parking located at 810 State Street in a Shopping and Personal Service District. Julie B. Sites d/b/a Sites Realty, applicant.**

Chairman Guerette asked the applicant or their representative to make a brief presentation of this application. Ms. Julie Sites indicated that she is seeking approval

to build a twelve-unit motel building that would offer furnished rooms for long-term and corporate rentals. Mr. Clark asked if it was similar to military housing that would have kitchens and amenities for people needing temporary accommodations but provide for more than a basic motel room. Ms Sites indicated that it was.

Mr. Guerette asked what was foreseen as the future development of this site. Ms. Sites and Mr. Marshall indicated that the site was essentially "built-out" and any new development would be a redevelopment of the existing building sites.

Chairman Guerette asked for Staff comments. Planning Officer Weber stated that the applicant, Julie Sites, is requesting a revision to the existing Site Development Plan for 810 State Street to construct a two and one-half story, 12-unit motel building at 810 State Street in a Shopping and Personal Service District. Ms. Weber noted that a few details were being finalized at the time of the writing of the Memorandum, and that a new plan was submitted which is now complete. Mr. Jim Ring, City Engineer, noted that the stormwater analysis should be resubmitted to denote that no stormwater pond is included.

Mr. Guerette asked about the location of the loading zone. Mr. Marshall indicated that the development standards require that a motel have a loading zone. Secondly, it is in area where materials could be wheeled into the building.

Mr. Clark moved to approve the Site Development Plan for Julie Sites at 810 State Street to construct a 12-unit motel, with the condition that a revised stormwater management plan be submitted which deletes the mention of a stormwater detention pond. Mr. Wheeler seconded the motion. The Board voted unanimously to approve the site plan for Julie B. Sites d/b/a Sites Realty, at 810 State Street, as conditioned.

Item No. 2 **Planning Board Approval of Minutes**

Mr. Clark moved to approve the Planning Board Minutes for the November 3, 2004 Meeting and the December 7, 2004 Meeting, as written. Mr. Siegel seconded the motion, and the Board voted unanimously to approve the Minutes of the December 7, 2004 and the November 3, 2004. The Chairman continued the Minutes of the November 16, 2004 Meeting until a quorum of voting members were present.

Item No. 6 **Planning Board Discussion of Comprehensive Plan Update Workshop Schedule.**

Planning Officer Weber updated the Board on the various options for the neighborhood meeting locations, audio recording, and video taping. Ms. Weber noted that live broadcast equipment is available at City Hall. Ms. Weber noted that the decision should be the Board's after weighing the various options. Ms. Weber provided

the Board with the various costs associated with stenographers, video recording, and audio recording, etc.

Mr. Wheeler indicated that he was unsure whether video recording would be of any special value. Unfortunately, even at City Hall audio levels are inconsistent. Relative to area meetings, Mr. Wheeler noted that many people will await a specific recommendation before they weigh in on their response and people will view it if it is undertaken at City Hall. Mr. Clark questioned whether there would be adequate room in the Council Chambers. Mr. Siegel concurred with Mr. Wheeler that video recording is not necessary, and added that he felt it was important to find the best way to get citizens to attend. The Board discussed what setting would be best to serve the public.

Mr. King noted that the Board Bylaws indicate televising meetings. Ms. Weber noted that live broadcasts are only available at City Hall. Mr. Wheeler noted that the Bylaw provisions should not defer the Board from holding meetings at other locations to better serve the citizens. The Board weighed the trade-off between area meetings versus the ability to provide live broadcasts and recording in a setting familiar to the Board and Staff.

Councilor Gratwick volunteered that he felt it as worthwhile when the City Council did neighborhood meetings because they would see some people that they would not ordinarily see in their regular meetings. He thought it was valuable to have varied formats. Ms. Lucy Quimby indicated that the availability of parking at the schools was a plus during winter conditions. Mr. Wheeler understood the intent behind neighborhood meetings but also favored the benefits of broadcasting.

Chairman Guerette liked the idea of outreach and going to the neighborhoods. Mr. King thought the live broadcast offers a much greater potential to reach citizens. Mr. Siegel thought that the Board might want to have two rounds, one where the Board does neighborhood meetings, and one where the meetings are broadcast from City Hall.

Ms Weber indicated that advertising would be done in the Bangor Daily News and in the Weekly, as well as, Public Broadcasting community service spots. The meetings will be posted on the City Web-site including the date, time, location and Agenda.

Mr. Wheeler indicated that a press conference should precede the meeting, as it will be a substantial news story.

Mr. Siegel moved that the meetings be held at the four schools indicated by the Staff. Mr. Clark seconded the motion. Mr. Wheeler asked if the motion includes audio or video recording. Mr. Wheeler noted that video recording costs \$440-\$490 per meeting plus \$150 for the public address system. That cost is relatively low,

comparatively. Chairman Guerette asked the Planning Officer if this amount was in the budget. Ms. Weber indicated that the budget is somewhat uncertain at this point because the cost of the Facilitation Project for the Penjajawoc Marsh area will come out of the Comprehensive Plan Project Budget. Ms Weber noted that a good public address system should be employed which includes audio recording. Mr. Wheeler agreed that a good sound system is important.

The Board voted 3 in favor to 2 opposed to the motion. Ms. Weber clarified that there would be a public address system and audio recording at each meeting.

ADJOURNMENT

Chairman Guerette asked if a motion for adjournment was in order. Mr. Wheeler moved to adjourn. Mr. Clark seconded the motion and the Board voted unanimously to adjourn at 8:56 p.m.